

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
BRUNSWICK DIVISION

FILED  
U.S. DISTRICT COURT  
BRUNSWICK DIVISION  
2007 FEB -1 A 9 3

REY DAVID VARGAS and  
RICHARD WAYNE BIESTER,

Petitioners,

vs.

CIVIL ACTION NO.: CV206-081

JAMES L. LANIER, Warden, Wayne  
State Prison; MILTON E. NIX, Chairman,  
State Board of Pardons and Paroles,  
and JAMES E. DONALD, Commissioner,

Respondents.

**ORDER**

Petitioners, inmates at Wayne State Prison in Odum, Georgia, have filed a "Motion for Certificate of Appealability." Petitioners seek to appeal the dismissal of their petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2241. As a Certificate of Appealability is not required in an appeal of a § 2241 petition, Petitioners' motion is **dismissed**.

SO ORDERED, this 31<sup>st</sup> day of January, 2007.

  
JUDGE, UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA